

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV619645622US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 20, 2005 Signature: Andrea Silverman
(Andrea Silverman)

Docket No.: AREX-P01-015
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Eng *et al.*

Application No.: 10/510,361

Confirmation No.: 6278

Filed: October 5, 2004

Art Unit: Not Yet Assigned

For: BINDING AGENTS AND THEIR USE IN
TARGETING TUMOR CELLS

Examiner: Not Yet Assigned

COMMUNICATION IN RESPONSE TO NOTIFICATION OF
MISSING REQUIREMENTS UNDER 35 U.S.C. § 371

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A Notification of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) was mailed April 22, 2005. A copy of the Notice is attached as Exhibit A. The Notice sets a deadline of two months for filing a response. Therefore, a response is due June 22, 2005. Accordingly, this Communication is being timely filed.

The Notice states that an oath or declaration is missing. In response, Applicants respectfully submit as Exhibit B an executed Combined Declaration and Power of Attorney.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in

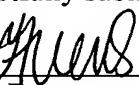
Application No.: 10/510,361

Docket No.: AREX-P01-015

this application by this firm) to our Deposit Account No. 18-1945, under Order No. AREX-P01-015. A duplicate copy of this paper is enclosed.

Dated: June 20, 2005

Respectfully submitted,

By 
Gloria Fuentes

Registration No.: 47,580
ROPES & GRAY LLP
One International Place
Boston, Massachusetts 02110-2624
(617) 951-7000
(617) 951-7050 (Fax)
Attorneys/Agents For Applicant

#5



UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 20 JUN 2005

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/510,361 | Hubert Eng | AREX-P01-015 |

28120
 FISH & NEAVE IP GROUP
 ROPES & GRAY LLP
 ONE INTERNATIONAL PLACE
 BOSTON, MA 02110-2624

| INTERNATIONAL APPLICATION NO. | |
|-------------------------------|---------------|
| IA. FILING DATE | PRIORITY DATE |
| 04/11/2003 | 04/11/2002 |

CONFIRMATION NO. 6278
 371 FORMALITIES LETTER



OC00000015820694

Date Mailed: 04/22/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/05/2004
- Copy of the International Search Report filed on 10/05/2004
- Copy of IPE Report filed on 10/05/2004
- Preliminary Amendments filed on 10/05/2004
- Information Disclosure Statements filed on 01/07/2005
- Small Entity Statement filed on 10/05/2004
- U.S. Basic National Fees filed on 10/05/2004
- Priority Documents filed on 10/05/2004

Ropes & Gray

Symbol #: AREX-P01-015

Action Due: Onth/Dec, Fee

Deadline(s): 22Jun2005/22Nov2005

JB

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

Ropes & Gray

- \$65 Late oath or declaration Surcharge.

APR 25 2005

Intellectual Property Dept

"Scanned KT".

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/510,361 | PCT/US03/11457 | AREX-P01-015 |

FORM PCT/DO/EO/905 (371 Formalities Notice)

10510361

Rec'd PCT/PTO 20 JUN 2005

PTO/SB/17 (12-04v2)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

| | | | |
|--------------------------------|-------------------|---------------------|--------------|
| TOTAL AMOUNT OF PAYMENT | (\$) 65.00 | Attorney Docket No. | AREX-P01-015 |
|--------------------------------|-------------------|---------------------|--------------|

METHOD OF PAYMENT (check all that apply)

| | | | | |
|---|--------------------------------------|--------------------------------------|-------------------------------|---|
| <input type="checkbox"/> Check | <input type="checkbox"/> Credit Card | <input type="checkbox"/> Money Order | <input type="checkbox"/> None | <input type="checkbox"/> Other (please identify): _____ |
| <input checked="" type="checkbox"/> Deposit Account | Deposit Account Number: 18-1945 | Deposit Account Name: | | Ropes & Gray LLP |

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

| | |
|---|---|
| <input checked="" type="checkbox"/> Charge fee(s) indicated below | <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 | <input type="checkbox"/> Credit any overpayments |

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| <u>Application Type</u> | <u>FILING FEES</u> | | <u>SEARCH FEES</u> | | <u>EXAMINATION FEES</u> | | <u>Fees Paid (\$)</u> |
|-------------------------|--------------------|------------------------------|--------------------|------------------------------|-------------------------|------------------------------|-----------------------|
| | <u>Fee (\$)</u> | <u>Small Entity Fee (\$)</u> | <u>Fee (\$)</u> | <u>Small Entity Fee (\$)</u> | <u>Fee (\$)</u> | <u>Small Entity Fee (\$)</u> | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

| | |
|------------------------------|-----------------|
| <u>Small Entity Fee (\$)</u> | <u>Fee (\$)</u> |
|------------------------------|-----------------|

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

| <u>Total Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> | <u>Multiple Dependent Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|----------------------|---------------------|-----------------|----------------------|----------------------------------|-----------------|----------------------|
| - | - = | x | = | | | |
| <u>Indep. Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> | | | |

3. APPLICATION SIZE FEE

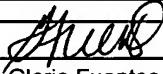
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| <u>Total Sheets</u> | <u>Extra Sheets</u> | <u>Number of each additional 50 or fraction thereof</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|---------------------|---------------------|---|-----------------|----------------------|
| - | - 100 = | /50 (round up to a whole number) x | = | |

4. OTHER FEE(S)

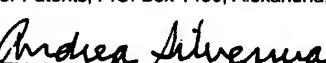
Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 2051 Surcharge-Late oath or declaration 65.00

| <u>SUBMITTED BY</u> | | <u>Registration No. (Attorney/Agent)</u> | <u>Telephone</u> |
|---------------------|---|--|------------------|
| Signature |  | 47,580 | (617) 951-7000 |
| Name (Print/Type) | Gloria Fuentes | Date | June 20, 2005 |

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Dated: June 20, 2005

Signature:  Andrea Silverman (Andrea Silverman)

11:07 AM
6/20/2005
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06/20/2005 4:58:00 PM RRR 00000094 181945 10510361

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